

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

CHARLENE CARTER,

Plaintiff,

v.

SOUTHWEST AIRLINES CO., AND  
TRANSPORT WORKERS UNION  
OF AMERICA LOCAL 556,

Defendants.

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Civil Action No. 03:17-cv-02278-S

**DEFENDANT'S INITIAL DISCLOSURES**  
**(F.R.C.P. RULE 26(a)(1))**

**PRELIMINARY STATEMENT**

Pursuant to Federal Rule of Civil Procedure 26(a)(1), Defendant TRANSPORT WORKERS UNION OF AMERICA, LOCAL 556 hereby submits the following initial disclosures. This disclosure statement includes information currently available to Defendant regarding persons who may have knowledge of disputed facts and the identity of documents that may be relevant to the claims and defenses raised. Because discovery is ongoing in this matter, Defendant reserves the right to supplement and/or amend these responses as necessary prior to the time of trial.

Defendant expressly reserves all objections to the use or admissibility of any disclosed documents in these proceedings. Defendant also reserves any objections they may have to the subsequent production of such documents under the Federal Rules of Evidence, the Federal Rules of Civil Procedure, and any other privileges that may exist under federal or state statutes.

**PERSONS LIKELY TO HAVE DISCOVERABLE INFORMATION**

**Fed. R. Civ. P. 26(a)(1)(i):**

*A. The name and, if known, the address and telephone number of each individual likely to have discoverable information that the disclosing party may use to support its claims or defenses, unless solely for impeachment, identifying the subjects of the information:*

1. Audrey Stone  
c/o Cloutman & Greenfield, PLLC  
3301 Elm Street  
Dallas, Texas 75226-2562  
214.939.9222

Ms. Stone was and the President of Defendant TWU Local 556 at the time of the events in question, and has been personally named in this lawsuit.

2. Brett Nevarez  
c/o Cloutman & Greenfield, PLLC  
3301 Elm Street  
Dallas, Texas 75226-2562  
214.939.9222

Mr. Nevarez was a former Executive Board Member of TWU Local 556 at the time of the events in question, and has been personally named as having knowledge of certain allegations in this lawsuit.

3. Jessica Parker  
c/o Cloutman & Greenfield, PLLC  
3301 Elm Street  
Dallas, Texas 75226-2562  
214.939.9222

Ms. Parker was a former DEBM from Denver, CO ("DEN") on Defendant TWU Local 556's Executive Board and has been personally named as having knowledge of certain allegations in this lawsuit.

4. Matt Hettich  
c/o Cloutman & Greenfield, PLLC  
3301 Elm Street  
Dallas, Texas 75226-2562  
214.939.9222

Mr. Hettich was the DEBM from Oakland, CA (“OAK”) for Defendant TWU Local 556, and has been personally named as having knowledge of certain allegations in this lawsuit.

5. Meggan Jones  
c/o Defendant SWA

Ms. Jones has information regarding Southwest’s workplace policies and practices; Southwest’s past practice; Carter’s Facebook posts; Southwest’s investigation regarding Carter’s conduct; the circumstances surrounding Carter’s termination; and the grievance and arbitration proceedings.

6. Ed Schneider  
c/o Defendant SWA

Mr. Schneider has information regarding: Southwest’s workplace policies and practices; Southwest’s past practice; Carter’s Facebook posts; Southwest’s investigation regarding Carter’s conduct; the circumstances surrounding Carter’s termination; and the grievance and arbitration proceedings.

7. Mike Sims  
c/o SWA

Mr. Sims had information regarding: (a) Southwest’s workplace policies and practices; (b) Southwest’s past practice; (c) Carter’s Facebook posts; (d) Southwest’s investigation regarding Carter’s

8. Chris Sullivan  
c/o Cloutman & Greenfield, PLLC  
3301 Elm Street  
Dallas, Texas 75226-2562  
214.939.9222

Mr. Sullivan was the DEBM from Denver, CO (“DEN”) for Defendant TWU Local 556, and has been personally named as having knowledge of certain allegations in this lawsuit..

9. Charlene Carter  
c/o Plaintiff’s Counsel

Ms. Carter is the named Plaintiff in this matter and has information regarding all matters alleged in the complaint.

Plaintiff also incorporates by reference all individuals identified by Defendant SWA and Plaintiff within Defendant Local 556's disclosures.

***B. A copy or a description by category and location of all documents, electronically stored information, and tangible things that the disclosing party has in its possession, custody, or control and may use to support its claims or defenses, unless the use would be solely for impeachment:***

The following describes documents and other things in Defendant Local 556's possession, custody, or control that may be used by Defendant to support its claims and/or defenses.

Defendant TWU Local 556 has in its possession Facebook content; Executive Board minutes, forms, e-mails and its bylaws which reflect on the claims and defenses in this litigation; Notes and documents from Carter's fact finding meetings and grievance proceedings; and Termination, investigation and personnel documents of Plaintiff. Local 556 also has an insurance policy which may cover the subject matter of this case.

Local 556 reserves the right to identify and supplement additional documents that it may use to support its claims and/or defenses.

***C. A computation of each category of damages claimed by the disclosing party who must also make available for inspection and copying as under Rule 34 the documents or other evidentiary material, unless privileged or protected from disclosure, on which each computation is based, including materials bearing on the nature and extent of injuries suffered:***

There are no damage claims by Defendant at this time. Local 556 reserves the right to seek damages, including but not limited to its attorneys' fees and costs, against Plaintiff or other liable parties.

***D. For inspection and copying as under Rule 34, any insurance agreement under which an insurance business may be liable to satisfy all or part of a possible judgment in the action or to indemnify or reimburse for payments made to satisfy the judgment:***

A copy of the Union's liability insurance policy will be produced (see paragraph B above).

Respectfully submitted,

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ATTORNEYS FOR DEFENDANT

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing instrument has been served upon counsel for Plaintiffs via email on April 1, 2019:

Mr. David E. Watkins (via email: [dwatkins@jenkinswatkins.com](mailto:dwatkins@jenkinswatkins.com))  
Mr. Jason E. Winford (via email: [jwinford@jenkinswatkins.com](mailto:jwinford@jenkinswatkins.com))  
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Mr. Jeffrey D. Jenningsappell (via email: [jdj@nrtw.org](mailto:jdj@nrtw.org))  
Mr. Matthew B. Gilliam (via email: [mbg@nrtw.org](mailto:mbg@nrtw.org))  
National Right to Work Legal Defense Foundation, Inc.  
8001 Braddock Road, Suite 600  
Springfield, Virginia 22160

/s/ Adam S. Greenfield  
Adam S. Greenfield